Summary of Transportation Legislation Review Committee Bills, 2008 Session (As of July 10, 2008)

Signed into Law

Bill Number: House Bill 08-1057 Short Title: Tourist-Oriented Directional Signs Along Rural Highways

Sponsors: Representative Sonnenberg Status: Signed Into Law

Senator Williams

The act authorizes the Department of Transportation to issue permits and adopt rules allowing tourist-oriented directional signs (TODS) along expressways and freeways in rural areas. Prior to the act, the state only permitted TODS on non-interstate highways in rural areas. The bill also expands the types of signs that may be authorized along interstate highways pursuant to federal law. TODS are signs identifying nearby businesses for tourists traveling along state roadways.

State Appropriations:

Private businesses that request a tourist-oriented directional sign must bear the cost for the sign's erection and maintenance. The act is therefore assessed as having no fiscal impact.

Bill Number: House Bill 08-1074 Short Title: Nonconforming Advertising Devises on Highways

Sponsors: Representative Borodkin Status: Signed Into Law

Senator Hagedorn

The act amends state law to authorize a nonconforming advertising device that was legally erected to be maintained at the same location. Prior to the act, only nonconforming advertising devices erected prior to January 1, 1971, were authorized to remain erected. The act eliminates the date references in statute.

State Appropriations:

The act is assessed as having no fiscal impact. If the Colorado Department of Transportation (CDOT) determines that a sign or other outdoor advertising device is nonconforming and must be removed, the owner of the sign is responsible for the cost of removing the device. CDOT is responsible for reimbursing the owner the device's value.

Summary of Transportation Legislation Review Committee Bills, 2008 Session (As of July 10, 2008) (Cont.)

Signed into Law (Cont.)

Bill Number: Senate Bill 08-012 Short Title: Transportation Commission Qualifications

Sponsors: Senator Takis Status: Signed Into Law

Representative Vaad

Current law requires the governor to consider appointing one or more individuals with knowledge or experience in aviation and one or more individuals with knowledge or experience in engineering to the state Transportation Commission. The act eliminates the aviation consideration. The 11 members of the Transportation Commission serve four year terms and make state transportation policy recommendations to the governor and General Assembly. Each commission member must reside in the district he or she represents.

State Appropriations:

The act does not require state revenue or expenditures and is assessed as having no fiscal impact.

Bill Number: Senate Bill 08-014 Short Title: Toll Enforcement Process

Sponsors: Senator Williams Status: Signed Into Law

Representative Marostica

State law requires toll evasion cases to be considered by the courts in the municipality or county where the violation occurred. For some municipalities and counties, this has resulted in a backlog of toll evasion cases in the court system. The act directs the Colorado Tolling Enterprise (CTE) to consider establishing an administrative toll enforcement process for toll evasion cases. If the CTE establishes an administrative toll enforcement process, no municipal, county, or city and county court will have the jurisdiction to hear toll evasion cases arising on a toll highway operated by the CTE. The act authorizes the CTE to utilize every remedy available under the law to enforce unpaid tolls and fees as debts owed to the enterprise, and authorizes the CTE to report to the state Department of Revenue (DOR) any outstanding judgement or warrant or failure to pay the toll, fee, and civil penalty for any toll evasion. Upon receipt of notice, the bill prohibits the DOR from renewing the registration of the vehicle associated with the toll evasion until the toll, fee, and civil penalty are paid in full.

State Appropriations:

No state appropriations are required for the act. However, the act is expected to result in the adoption of an administrative toll enforcement process, resulting in increased state revenue to and expenditures from the Statewide Tolling Enterprise Special Revenue Cash Fund.

Summary of Transportation Legislation Review Committee Bills, 2008 Session (As of July 10, 2008) (Cont.)

Active Bills

Bill Number: House Bill 08-1010 Short Title: Motor Vehicle Traffic Fines

Sponsors: Representative McFadyen Status: Signed Into Law

Senator Takis

The act amends motor vehicle violation fines by:

- increasing the minimum fine for a class 2 traffic misdemeanor from \$10 to \$150;
- increasing the minimum fine for a class 1 traffic misdemeanor from \$100 to \$300;
- reducing the distribution of seat belt violation fine revenue to local jurisdictions from 100 percent to 50 percent for violations occurring on state and federal highways, with the remaining 50 percent going to the Highway Users Tax Fund;
- doubles the minimum fines for driving under the influence (DUI), driving while ability impaired (DWAI), under age drinking and driving (UDD), and habitual user driving;
- specifies that fine revenue from DUI, DWAI, UDD, and habitual user driving for violations occurring on a state or federal highway is credited 25 percent to the local governments and 75 percent to the Highway Users Tax Fund; and
- doubles the minimum fine for vehicle eluding.

State Appropriations:

In order to implement the act, the Judicial Department requires a General Fund appropriation of \$33,600 in FY 2008-09 for computer programming changes to its court case management system. The Department of Revenue (DOR) also requires an appropriation of \$2,802 for computer programming costs, which will be covered through General Fund line item funding for programming costs in the DOR.

Bill Number: House Bill 08-1036 Short Title: Charles Mather Highway Safety Act

Sponsors: Representative McFadyen Status: Signed Into Law

Senator Williams

The act requires both the Colorado Department of Transportation (CDOT) and local governments to designate areas as maintenance, repair, or construction zones where such activities are occurring. The bill also:

- repeals the \$40 maximum fine limit for violations occurring in these zones when an automated vehicle identification system, "photo radar," is used;
- doubles the fines for specified moving traffic violations, including speeding, within the zones designated by local governments;
- requires the Department of Public Safety, upon CDOT's request, to use photo radar to detect speeding violations while maintenance, repair, or construction is occurring in these zones:
- requires CDOT to reimburse the Department of Public Safety for the use of photo radar; and
- requires drivers approaching these zones to exhibit due care and yield the right-of-way to maintenance, repair, or construction vehicles.

In order to implement the act, the state Department of Revenue (DOR) will require a minimum General Fund appropriation in FY 2008-09 of \$227,646 and 6.6 FTE for administrative expenses related to citations for violations. The DOR also requires an appropriation for FY 2008-09 of \$2,802 for computer programming costs, which will be covered through General Fund line item funding for programming costs in the DOR.